



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 462** HLS 10RS 1182

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 7, 2010	1:52 PM	Author: MILLS
Dept./Agy.: Department of Health and Hospitals		
Subject: Alternatives to Feliciana Forensic Facility for Offenders		Analyst: Charley Rome

DRUGS/CONTROLLED

EG INCREASE GF EX See Note

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Provides relative to standards for inpatient hospitalization at Feliciana Forensic Facility when a person is charged with certain felonies and misdemeanors

Present law authorizes the court to order immediate jailed-based treatment by DHH not to exceed 90 days if a person is charged with a felony or misdemeanor that is classified as an offense against the person and he is considered by the court to be likely to commit crimes of violence and the court determines that his mental capacity is likely to be restored within 90 days as a result of treatment. If the person's capacity cannot be restored within 90 days and inpatient treatment is recommended, the court shall commit the defendant to the Feliciana Forensic Facility. The proposed legislation requires the court to release persons charged with misdemeanors (excluding domestic abuse battery) and less serious controlled substance felonies to outpatient competency restoration or other appropriate treatment if their mental capacity cannot be restored within 90 days. Effective upon governor's signature.

EXPENDITURES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2010-11	2011-12	2012-13	2013-14	2014-15	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

State general fund expenditures will increase by an indeterminable amount due to the proposed legislation. The proposed legislation will have no impact on the number of beds or patients treated by the Feliciana Forensic Facility because the facility is operating at full capacity and has a significant waiting list. However, the measure will likely decrease the waiting period for patients needing services at Feliciana Forensic Facility because the court will release offenders accused of less serious crimes to outpatient competency restoration or other appropriate treatment. Approximately 22 out of 235 patients at Feliciana Forensic Facility meet the bill’s requirement for release to outpatient competency restoration or other appropriate outpatient treatment. These 22 patients would leave Feliciana Forensic Center care and seek other services offered by DHH increasing expenditures by indeterminable amounts. Furthermore, the bill would accelerate offender transitions from jail to DHH outpatient services increasing DHH expenditures by indeterminable amounts. The Louisiana Sheriffs’ Association was unable to quantify the number of individuals in local jails that the bill would transition to DHH outpatient services. The Louisiana Sheriffs’ Association also expressed concern that the bill will increase law enforcement costs for officers handling cases of offenders released due to the bill, but the Association was unable to quantify the bill’s potential impact on law enforcement efforts.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate

Dual Referral Rules

☐ 13.5.1 >= \$100,000 Annual Fiscal Cost

☐ 13.5.2 >= \$500,000 Annual Tax or Fee Change

House

☐ 6.8(F) >= \$100,000 Annual SGF Cost

☐ 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

Robert E. Hosse

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